

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**UNITED STATES OF AMERICA, *ex rel.*
DILBAGH SINGH, M.D.,
PAUL KIRSCH, M.D.,
V. RAO NADELLA, M.D., and
MARTIN JACOBS, M.D.,**

Relators,

V.

Civil Action No. 04-186E

**BRADFORD REGIONAL
MEDICAL CENTER,
V & S MEDICAL ASSOCIATES, LLC,
PETER VACCARO, M.D.,
KAMRAN SALEH, M.D.,
and DOES I through XX,**

Defendants.

**MOTION TO COMPEL
RELATORS TO PRODUCE DOCUMENTS
AND ANSWER INTERROGATORIES**

Bradford Regional Medical Center ("BRMC") hereby moves this Honorable Court pursuant to Fed.R.Civ.P. 34 and 37 to compel Dilbagh Singh, M.D., Paul Kirsch, M.D., V. Rao Nadella, M.D., and Martin Jacobs, M.D. ("Relators") to produce documents and answer Interrogatories as set forth below. In support thereof, BRMC avers the following:

1. On January 3, 2007, BRMC served Interrogatories and Requests for Production of Documents on each of the Relators.

2. Counsel for Relators responded by producing electronic copies of certain documents on February 28, 2007. Additional documents were produced shortly thereafter. However, the responses filed by the Relators to said requests are incomplete.
3. Specifically, the Relators did not produce documents responsive to Request Nos. 1, 2, 3, 4, 9, 10, 11, 12, 13 and 15 or adequately answer Interrogatories 4, 9 and 10, which were addressed to each Relator, and Relator Jacobs did not produce documents responsive to Request for Production No. 17 which was addressed to him. The responses are necessary in order to enable BRMC to take discovery and prepare for trial. As required by Local Rule 37.2, copies of the Interrogatories and Requests at issue and each Relator's responses and objections are attached hereto and incorporated by reference herein.
4. On March 23, 2007, counsel for Defendant telephoned counsel for Relators to inform them of the insufficiencies in their response to the Defendant's Requests for Production of Documents. This was followed by a letter dated April 5, 2007, in which counsel for the Defendant wrote the Relators to inform them of the same deficiencies and to request compliance with the Defendant's Requests for Production of Documents.
5. On April 18, 2007, counsel for Relators produced a Privilege Log, but failed to comply with any other of the Defendant's requests. A subsequent telephone conference was held on May 4, 2007, but counsel were unable to resolve this dispute.
6. As of the date of this Motion, no further responses to the above Requests or Interrogatories have been forthcoming from Relators.

THEREFORE, Defendant prays that this Motion be granted and that (1) each of the Relators be ordered to produce the documents requested by Requests for Production Nos. 1, 2, 3, 4, 9, 10, 11, 12, 13 and 15 and answer Interrogatories 4, 10 and 11, (2) Dr. Jacobs be ordered to produce documents responsive to Request for Production 17 directed to him, and

(3) the Court award BRMC reasonable costs and attorneys fees associated with this Motion as permitted by the Federal Rules of Civil Procedure.

Respectfully submitted,

Date: May 10, 2007

/s/ Daniel M. Mulholland III

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the attached document was served on each of the following attorneys via the Court's electronic filing system and/or first class United States mail on the date set forth below:

Via electronic filing and U.S. mail:

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May 10, 2007

/s/ Daniel M. Mulholland III
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